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HONOURABLE SRI JUSTICE B.PRAKASH RAO
AND
HONOURABLE SRI JUSTICE RAMESH RANGANATHAN

WRIT APPEAL NO:720 of 2006

DATED: 27-06-2006

Between:

APSRTC Employee Union, bearing Registration No.215/1952, rep.by its State Secretary, Sri S.V.B.Rajendra Prasad

..... APPELLANT

AND

1. The A.P.State Road Transport Corporation, rep.by its Managing Director, Musheerabad, Hyderabad and 3 others.

.....RESPONDENTS

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JUDGMENT:(per BPR,J)

Heard both sides, and at their request, the main appeal itself is taken up for disposal at the admission stage.

The appellant-writ petitioner, which a union seeks to assail the interim orders of the learned Single Judge, refusing to grant stay of recovery/deduction of the 50% of Performance Incentive Bonus from all the eligible employees.

Having heard the learned counsel on either side, and also on perusal of the entire material on record, the main question that arises for consideration in the writ petition is as to whether the respondent-corporation is justified in deducting 50% of the Performance Incentive Bonus paid to the eligible employees.

The case of the respondent-corporation is that the Performance Incentive Bonus is based on performance and if the performance is not up to the level, correspondingly, the amount payable towards Performance Incentive Bonus is deducted/reduced and as such, it would not amount to any recovery.

Considering the submissions made, and also having regard to the fact that this Court, normally wherever substantial questions are involved in the main case, grants stay in respect of recoveries only, we direct that till disposal of the writ petition the respondent herein shall not recover any amount from the salary of the employees in respect of the Performance Incentive Bonus which has already been paid.

Subject to above, the writ appeal is disposed of. No costs. Post the writ petition itself before the regular Court hearing the matters for final hearing on 04-09-2006.

27th June, 2006

SKM